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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,111	05/10/2001	Salman Akram	MICT-0012-D1-US (97-0141)	7172
21906	7590	08/18/2004	EXAMINER	
TROP PRUNER & HU, PC 8554 KATY FREEWAY SUITE 100 HOUSTON, TX 77024			CHAMBLISS, ALONZO	
			ART UNIT	PAPER NUMBER
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/853,111

Filing Date: ***

Appellant(s): SALMAN AKRAM

MAILED

AUG 18 2004

GROUP 2800

Salman Akram
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/10/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 19 may not be grouped and all of the other claims may be grouped with claim 15 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *ClaimsAppealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,646,829 Sota 7-1997

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 15-22, 32, 34, and 35 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Sota (U.S. 5,646,829). This rejection is set forth in a prior Office Action, mailed on 2/19/04.

(11) Response to Argument

Appellant contends in claim 15 that Sota does not teach two dies “ in contact ” with one another. Sota teaches a top die 1 in contact (i.e. by way of the adhesive and die paddle or pad) with a bottom die 1 (see col. 5 lines 12-15 and 34-57; Figs. 3b-3e). The use of the word “ contact ” can be viewed as the top die in thermal contact with the bottom die, the top die is electrically in contact with the bottom die by bonding wires and leads, the top die is in contact with the bottom die by the resin 6, or as used in the Webster’s Collegiate Dictionary, 10th Edition, defining contact as the union or junction of surfaces. Using the adhesive and die paddle or pad 2 or the resin 6 makes the union or junction of surfaces. Furthermore, the examiner never relies on Figures 1 and 2 to teach the elements in the claim. The examiner has relied upon Figs. 3c-3e. Also, applicant’s Fig. 3 shows a top die in contact with a bottom die by way of adhesive and lead fingers. Therefore, Sota clearly teaches all of the elements of claim 15.

Applicant contends in claim 19 that Sota fails to teach one of the dies to be secured to the lead frame and the other of the dies is secured to the die secured to the lead frame. Sota teaches one of the dies 1 to be secured to the lead frame and the other of the die by an adhesive and die paddle or pad so that the die secured to the lead frame (see Figs. 3b-3e). Furthermore, the claims and the drawings show an intervening element to attach one die to another die. Sato discloses the intervening element as adhesive/die paddle or pad and an insulating resin to secure the two dies together. Thus, allowing the two dies to be secured even though they are on opposite sides of the lead frame.

For the above reason, it is believed that the rejection should be sustained.

AC/August 10, 2004



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